

2003 State of the Judiciary Chief Justice Limbaugh Addresses General Assembly

Chief Justice Stephen Limbaugh Jr. delivered the State of the Judiciary Address on January 22, 2003, during a joint session of the General Assembly in Jefferson City. Justice Limbaugh began by providing introductions of Judge Richard Teitelman, the Court's newest judge, who took office in March 2002, described as bringing "a personal kindness and graciousness that enhances the collegiality of a Court that already prides itself on its collegiality" and Judge Ronnie White, who will take over as chief justice on July 1, 2003. Justice Limbaugh stated, "One hundred fifty years after Missouri's landmark Dred Scott case, which precipitated the Civil War, and in turn, the end of slavery, and the struggle for civil rights that followed, it is high time that an African-American is represented in the office of Chief Justice."

Judge Limbaugh acknowledged the current state fiscal situation by reflecting to last year's address in which he emphasized the honor of public service and did not discuss budget issues. He reiterated that he again would not discuss budget concerns with the exception of the dedicated court staff in Missouri's 114 counties and the City of St. Louis. He stated, "I ask nothing for judges, but I ask you to find the means to help those whose work allows the judges to administer justice." He spoke of how the Court is attempting to secure alternative sources of funding to continue the court automation project which has been placed on hold due to the budget cuts. He also heralded the 16th Judicial Circuit for investing its own funds to expand its use of the state system, and the potential for other urban circuits to do likewise.

He announced to the predominantly new members of the legislature the awards bestowed to Case.Net, which he stated was "the result of the creativity and ingenuity of the employees of the Office of State Courts Administrator." In Summer 2002, Case.Net received the "Best of Breed Award" from the Center for Digital Government, a think-tank of experts in the use of information technology at all levels of government and recently was designated as a Computerworld Honors Program Laureate. This prestigious award means that the court automation program will be on file and available for study at such renowned institutions as Oxford, Harvard, MIT, and the Smithsonian Institution's National Museum of American History. Judge Limbaugh noted that the automation of the courts, which the legislature has strongly supported over the years, is bearing fruit for Missouri's citizens and serves as a model for the country. He also expressed the judiciary's appreciation to Senator Klindt and Representative Crowell, who have attended nearly every meeting of the court automation committee since their appointment and who provide invaluable legislative input and oversight.

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Of Interest

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This Newsletter is published quarterly by the Division of Court Services as an informational and educational service to state judicial personnel.

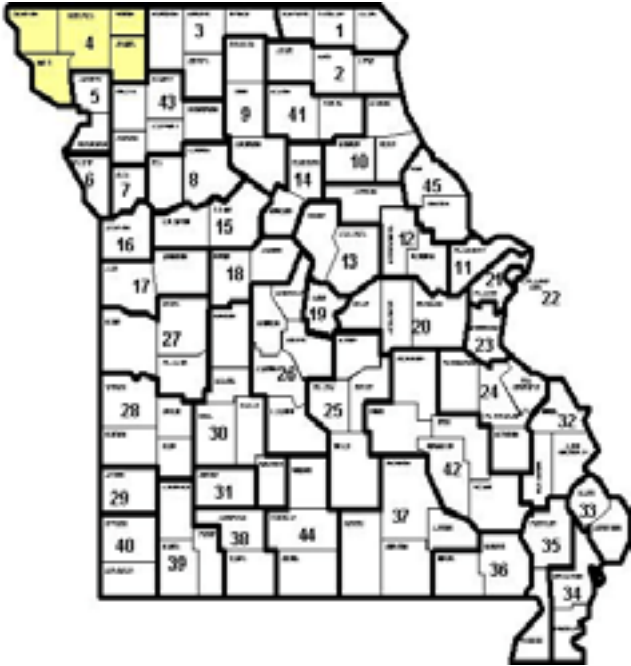
Readers are encouraged to offer comments and article ideas by contacting the Court Services Division at (573)751-4377, by fax at (573)751-5540, by E-mail at osca_newsletter@osca.state.mo.us or by writing to:

*Office of State Courts Administrator
Attn: Court Services
2112 Industrial Drive
P.O. Box 104480
Jefferson City, Missouri 65110*

Stephen N. Limbaugh, Jr., Chief Justice

Michael Buenger, State Courts Administrator

Circuit 4 Profile



Geographic area:

Atchison County – 560 square miles
Gentry County – 493 square miles
Holt County – 456 square miles
Nodaway County – 875 square miles
Worth County – 266 square miles

Population:

Atchison County – 6,430
Gentry County – 6,861
Holt County – 5,351
Nodaway County – 21,912
Worth County – 2,382

Demographics:

Atchison County – Age: 0-19 = 26%; 20-44 = 28.7%;
45-59 = 19.7%; 60-74 = 13.9%; 75+ = 11.6%
Gentry County – Age: 0-19 = 28.7%; 20-44 = 28%;
45-59 = 16.4%; 60-74 = 14.9%; 75+ = 11.9%
Holt County – Age: 0-19 = 25.8%; 20-44 = 28.7%; 45-
59 = 19.2%; 60-74 = 13.9%; 75+ = 12.1%
Nodaway County – Age: 0-19 = 27.3%; 20-44 =
40.3%; 45-59 = 15.1%; 60-74 = 10.1%; 75+ = 7.3%
Worth County – Age: 0-19 = 26.8%; 20-44 = 27.6%;
45-59 = 16.9%; 60-74 = 16.9%; 75+ = 11.9%

Presiding Judge:

Roger M. Prokes

Associate Judges:

Atchison County – Kay F. Graves Rosenbohm
Gentry County – Roger E. Combs
Holt County – William S. Richards
Nodaway County – Glen Dietrich
Worth County – William Rex Beavers

Circuit Clerk:

Atchison County – Lorie Hall
Gentry County – John Whitaker
Holt County – Janice Radley
Nodaway County – Patrick O’Riley
Worth County – Jana Lea Smyser

Juvenile Officer

Rick R. Bradely

Number of Staff:

Clerical Staff – 19
Juvenile Staff – 5

Caseload: Total filings in FY01

Atchison County – 3,021
Gentry County – 1,277
Holt County – 1,218
Nodaway County – 3,000
Worth County – 341

Named After:

Atchison County – David Rice Atchison, United
States Senator
Gentry County – Richard Gentry, Seminole War
general
Holt County – David Rich Holt, Missouri
legislator from Platte County
Nodaway County – The Nodaway River
Worth County – William Jenkins Worth, a soldier
in the Florida and Mexican wars

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Circuit Profile *(Continued from Page 2)*

Presiding Judge Comments:

Situated in the extreme northwest corner of the state, the 4th Circuit consists of five counties:

- Atchison and Holt Counties lie to the west along the Missouri River.
- Nodaway County is in the middle.
- Worth and Gentry Counties lie East of Nodaway.

Although rural in appearance, the Circuit is quite diverse. Nodaway County is the home of Northwest Missouri State University and its two-time National Championship football program. It is also the home to a large Energizer battery plant, a Kawasaki Manufacturing plant, a Moog Automotive plant, and numerous medium to small manufacturers. On a spiritual level, the area is home to the Conception Seminary and the Monastery at Clyde. The western counties are proud of their rich soil, industries based upon converting traditional crops to alternative uses, and innovative commercial services provided through its private telephone companies. The counties to the east lack the transportation and communication networks that benefit the other three. Their inhabitants pride themselves on being self reliant and hard workers. Rural emphasis is placed on livestock in addition to traditional crops. The area is served by three hospitals including St. Francis, which is a member of the SSM group that received the Malcolm Baldrige Award for Quality.

Waterfowl hunting is without match on the west and deer season is king to the east.

Law enforcement must cope with crime as diverse as the area.

Nodaway County opened its Drug Court in January. It is to be offered in the entire Circuit by July. The Circuit is a testing ground for the effectiveness of having a victim's advocate with offices in the courthouse. This advocate will work with Law Enforcement, Division of Family Services and others critical to meeting the needs of victims of domestic violence to prepare protocol to effectively and promptly meet those needs. Other rural areas will be watching to gauge the success of this project. Emphasis is being placed on prompt disposition of disputes. The courts intend to be sensitive to the needs and stresses of people involved in litigation.

Northwest Missouri is a good place to live, and the courts are attempting to maintain and improve that quality.

FY2002 Judicial Report and Supplement

The FY2002 Judicial Report and Supplement are complete. The Judicial Report provides a brief overview of the activities of the Missouri courts during the fiscal year. The Supplement contains nearly 200 pages of statistics and data by court. OSCA staff distributed hard copies of the Annual Report and Supplement in January 2003 to Supreme Court Judges and staff, Presiding Judges, Circuit Clerks, Court Administrators, Court of Appeals Judges, Associate Judges, Circuit Judges, and Commissioners. Supreme Court Judges and staff, Presiding Judges, Circuit Clerks and Court Administrators received copies of the detailed supplement. If you did not receive the detailed supplement, but would like to receive one, please contact OSCA, Statistics Section. These materials are also be available in Adobe format on the OSCA web site at <http://www.osca.state.mo.us/>, Office of State Courts Administrator, Publications.



Wiretap Reports Due

Courts issuing orders authorizing wiretaps must submit a report to the Office of State Courts Administrator within thirty days of the expiration or extension of the order (Section 542.416 RSMo).

If your court has issued a wiretap order in 2002, please complete a Report of Communication Interception form (found in Court Clerk Handbook, Section 303.07 or by contacting a forms analyst at OSCA, (573) 751-4377) and forward it to Teri Rogers, OSCA, Court Services Division, P.O. Box 104480, Jefferson City, Missouri, 65110.

Fine Collection Center Update

The Fine Collection Center (FCC) now has 61 member counties. The most recent additions to the program are Pike County that joined on January 1, 2003 and Stone County that will join the program on April 1, 2003. Several other counties are currently considering FCC membership.

In November 2002, FCC completed its testing of the system for the electronic transfer of ticket data from the Missouri State Highway Patrol to FCC. The testing identified several problems that were resolved. FCC began live operational testing of this new electronic case transfer capability in December and is currently accepting a limited number of tickets directly from the Highway Patrol's database. Accepting live data has gone fairly well but did create some problems in FCC's case processing. The main problem was the intermittent interruption of electronic case transfer from FCC to its member courts that use the JIS software. However, it appears that problem has been resolved.

FCC asks that courts continue to inform FCC, as well as the OSCA Help Desk, whenever they experience any problems with the case transfer process.

It appears that we will be able to transfer case information from the Patrol into the FCC database in one quarter or less of the time than it currently takes to manually enter ticket data. FCC has learned that the Highway Patrol often experiences backlogs in the entry of ticket data. This results in FCC receiving the large majority of tickets from the Patrol before they have been entered into the Patrol's database. FCC is working closely with the Patrol to try to close this time gap and, thereby, allow FCC to increase the number of Patrol tickets that can be accepted electronically.

As of December 31, 2002, FCC collected \$20 million in fines and costs for the member counties since beginning operation on July 1, 1999. During CY 02, FCC processed 118,516 cases and collected \$8.1 million. During FY 03 through December 31, 2002, FCC processed 61,409 cases and collected \$4.3 million. If you have any questions regarding the FCC program or how to become a member, contact Jack Morgan, Director, at (573) 522-2004 or toll free at (877) 866-3926 or by e-mail at Jack_H_Morgan@osca.state.mo.us.



Court Consolidation

Four additional counties consolidated effective January 1, 2003. The Circuit Clerk in each of these counties will serve as appointing authority. The four are Henry County -- Marsha Abbott, Circuit Clerk; Lincoln County -- Melba Houston, Circuit Clerk; Polk County -- Vesta Seiner, Circuit Clerk; and St Charles County -- Judy Zerr, Circuit Clerk.

Courts that agree to consolidate may apply to the Circuit Court Budget Committee (CCBC) for pay increases of one to two steps for each employee whose duties and responsibilities have been impacted by the consolidation, but whose assignments would not qualify the clerk for a position reclassification; reclassification to court program specialist for clerks who are assigned special responsibilities as a result of the consolidation; funding for expenses and equipment needed for the consolidation; and temporary assistance for special projects during the transition period, e.g., to set up a consolidated case filing system. In addition the Presiding Judge may apply for a court administrator position, a new professional position assigned to the circuit, if all counties in the circuit agree to consolidate. Courts that have consolidated also have the option of relinquishing all or parts of vacant positions and using the savings to increase salaries of remaining staff, provided the plan is approved.

If you have questions, please contact Linda Hope, Evaluation Specialist, (573) 751-4377 or Linda_Hope@osca.state.mo.us.





Appointments

Effective immediately:

Commission on Children's Justice

The new commission was established by the Supreme Court, in cooperation with the Governor and the General Assembly, and created to develop a statewide comprehensive approach for improving the child welfare system. The commission will coordinate the three branches of government in assessing the impact of government actions on children who are abused or neglected and recommend changes to improve children's safety, strengthen and support families and restore public trust and confidence in the child welfare system. In undertaking its tasks, the commission shall review recent investigative reports to the Governor, the Senate Interim Committee to Improve Children's Protective Services and Foster Care and such other reports, studies and materials as the commission deems appropriate; review proposed legislation and submit recommendations for any necessary changes to the Supreme Court, Governor, and General Assembly.

Former Supreme Court **Justice John C. Holstein**, Springfield, is appointed member and chair of the commission. Other members include **Judges Glenn Norton**, Eastern District Court of Appeals, **Nancy Rahmeyer**, Southern District Court of Appeals, **James Welsh**, 7th Circuit, **Roy Richter**, 12th Circuit, **Susan Block**, 21st Circuit, and **Thomas Frawley**, 22nd Circuit; **Commissioner John Payne**, 16th Circuit; **Senators Peter Kinder**, President Pro Tempore and District 27, **Pat Dougherty**, District 4, and **Bill Foster**, District 25; **Representatives Bryan P. Stevenson**, District 128 and **Yvonne S. Wilson**, District 42; **Catherine Hanaway**, Speaker of the Missouri House of Representatives; **Patrick Lynn**, Senior Policy Advisor, Office of the Governor; **Steve Renne**, Acting Director, Department of Social Services; **Julie Cole Agee**, Executive Director, Missouri Juvenile Justice Association; **Beth Dessem**, Executive Director, Missouri Court Appointed Special Advocate Association; **Melanie Scheetz**, Executive Director, Foster and Adoptive Care Coalition; **Deanna Gallagher**, St. Louis, Missouri; **Frank L. Martin III**, West Plains; **Betty Sims**, St.

Louis, Missouri; and **Andrea Whitfield**, St. Louis, Missouri, Caseworker.

The commission shall submit an interim report to the Supreme Court, Governor, and General Assembly on or before March 28, 2003. As a part of the report, the commission shall propose a date for a final report.

Court Automation Committee

Judge Julian Bush, 22nd Circuit, was appointed vice-chair for a term ending on July 31, 2003.

Court Clerk Education Committee

Penny Swindler, Associate Division Clerk, Schuyler County, was appointed member for a term expiring on June 30, 2005.

Drug Courts Coordinating Commission

Judge Lawrence Mooney, Eastern District Court of Appeals, was appointed member pursuant to Section 478.009 RSMo.

Family Court Committee

Judge Dennis Kehm, 23rd Circuit, was appointed member for a term ending on December 31, 2005.

Court Automation Committee

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Family Court Committee

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Presiding Judges' Executive Committee

Judge William Roberts, 27th Circuit, was reappointed member and chair for a term ending on December 31, 2004. **Judges Robert Clayton**, 10th Circuit; **Joseph Dandurand**, 17th Circuit; **Barbara Wallace**, 21st Circuit; **J. Miles Sweeney**, 31st Circuit; and **John Moody**, 44th Circuit; were reappointed for terms ending on December 31, 2004. **Judges Jay Daugherty**, 16th Circuit, and **Michael David**, 22nd Circuit, were appointed members for terms ending on December 31, 2004.

(Continued on Page 6)

(Appointments continued)
Effective January 1, 2003:

Board of Certified Court Reporter Examiners

Judge James Eiffert, 38th Circuit, was appointed a member for a term ending on December 31, 2005. **Mary Conway**, Court Reporter, 5th Circuit, was reappointed member for a term ending on December 31, 2005.

Circuit Court Budget Committee

Judge John O'Malley, 16th Circuit, was reappointed member and chair for a term ending on December 31, 2005. **Judges Glen Dietrich**, 4th Circuit, and **J. Miles Sweeney**, 31st Circuit, were reappointed members for terms ending on December 31, 2005.

Family Court Committee

Judge Mary Sheffield, 25th Circuit, was appointed a member for a term ending on December 31, 2003.

Municipal Judge Education Committee

Judge Roy Richter, 12th Circuit, is reappointed member and chair for a term ending on December 31, 2005. **Judges Dennis Budd**, Springfield, and **Earl Drennen**, O'Fallon, were reappointed members for terms ending on December 31, 2005.



All Judgments Must Be Recorded on the Judgment Index

Circuit and associate division clerks must maintain a civil judgment index. The index may be an index card file, index book or on an automated record keeping system approved by the State Judicial Records Committee, such as JIS or the Lotus Notes Judgment Index System.

Please remember to record all appealable judgments in your court's judgment index. The judgment should be recorded when it is entered, regardless of whether there is a monetary award. In addition, the judgment index must be available for public use.

If you have questions about what information should be recorded in the Judgment Index, please contact a Court Specialist at (573) 751-4377.



Check Your Pay Stub

Is your pay correct? How about your deductions? Are your leave balances what they should be? If any of these things are not correct, and if you don't check your pay stub every pay period, you may never know about it. In addition, if it goes uncorrected for any length of time, it could be very complicated and time consuming to fix. Please review your pay stub every pay period and check it against your last pay stub. If anything doesn't look right, check with your local payroll designer.

State of Judiciary (Continued from front page)

Judge Limbaugh addressed the crisis in juvenile justice at length and noted to the General Assembly that it “undoubtedly will command a good deal of your attention as well.” He pledged that the judges of Missouri would do all they can in their power to correct the failures in the system. He stated, “Whether the truth of the allegations is perception or reality, the unfortunate result, of course, is public distrust and a lack of confidence in the system.” After noting the investigations conducted by the Governor’s office, Senate and Auditor’s office, as well as relating some of his own poignant experiences while he served the bench in the juvenile courts, Chief Justice Limbaugh announced the cooperative formation of the Commission on Children’s Justice. He stated that the commission is formed with the blessing and encouragement of Senate President Pro Tem Kinder, House Speaker Hanaway and Governor Holden, and composed primarily of judges and legislators, but also includes key executive branch officials and other interested parties, to address the concerns raised in the several investigations, to review proposed legislative solutions, and to propose legislative

changes of its own. He stated, “We ask not to direct any legislation, but only that you hear our concerns, as we strive to hear yours, and we submit to you that the healthy interaction between judges and legislators, between representatives of co-equal branches of government, is the best way to yield the best product for our mutual constituents, our children.”

Closing his address by urging the legislators to participate in a symposium sponsored by the Supreme Court and the Missouri Juvenile Justice Association held on February 3, Judge Limbaugh summarized the events planned for the symposium and stated, “By engaging in this dialogue and by opening the lines of communication, it is our profound hope, that at the end of the day, we can better respond to your concerns, and thus better serve our children.” “We must devote our full resources to the solutions. And together, we must win the day for our children.” “Our goal is the same! And it is simply this: A safe home, and a loving family, for every child.”

A complete text of the “State of the Judiciary” address is available on the Supreme Court website at <http://www.osca.state.mo.us/sup/index.nsf> and selecting the “News” link.



Juror Management System (JMS) Yet another achievement for Missouri Courts!!!

Juror Management System (JMS) training for the 111 participating counties has officially been completed. This is another large step in judicial automation.

In June 2000, the Missouri Court Automation project purchased a statewide license for the *ACS Juror Management System (JMS)*. This software was selected by court staff representatives from a sampling of small, medium, and large courts as the statewide jury software. As of February 2003, training for the 111 courts using JMS has been achieved.

The 111 courts now on JMS consist of those that used the OSCA jury software, as well as several courts that were not automated or were using a different software package.

Of the 111 courts that have been trained, 56 have used the software to process jurors through the completion of a trial.

OSCA will continue to provide training sessions as the need arises in order to accommodate staff turnover, reassignment of duties, etc.

... large step in judicial automation.

Attorney Lotus Notes Database

The recently deployed Attorney Lotus Notes database provides updated information on attorneys licensed to practice in Missouri and who are in “good standing” status with the Missouri Bar Association. This database replaces the hard copy version that was sent to you once a year. This new database is updated on a monthly basis and provides information including: full name, address, and Missouri Bar Number. You can search the database from different views. For more information, click on “Help” and “Using this database” or “About this database” while you’re in the database.



Charge Code Revisions

Numerous additions, deletions and revisions to the charge code manual have been made since August 28, 2002. Many changes were made to the “Municipal Ordinance Offenses” section of the manual. This section is now titled “Ordinance Violation Offenses” and has been expanded to include more than 30 new charge codes. These updates can be found on the Missouri Courts Information Center (MCIC), Court Services, Charge Code Manual.

Preparation for the Clerical Weighted Work Load for Budget Year 2005

The clerical weighted work load (CWWL) will be based on CALENDAR year 2002 FILINGS. The Statistics Section staff will begin running reports on February 1, 2003 for counties/locations using JIS and on March 1, 2003 for counties/locations using SWJIS. See the Winter 2002 issue of the newsletter for more detail on how to check your data for accuracy.

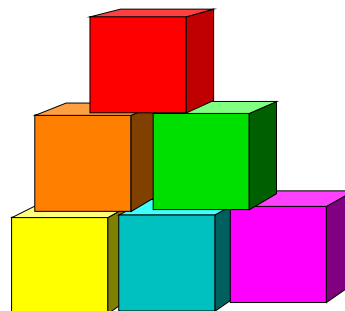
Clerical Weighted Work Load Study of Time-Intensive Circuit Civil Cases In Progress

The CWWL Steering Committee is conducting an additional time study to calculate a separate weight for time-intensive (TI) circuit civil cases (formerly known as complex cases). At its November 14, 2002 meeting, the Committee decided to include the following Circuit Civil case types in for the time study: Asbestos, Condemnation/Eminent Domain, FELA, Medical Malpractice, Product Liability, Tobacco, and Wrongful Death. Nearly 300 court staff in five counties are participating in the study from January 2, 2003 through April 30, 2003. Participants are: Boone County, Jackson County, Platte County, St. Louis City, and St. Louis County.

At the May or June 2003 meeting, the CWWL Steering Committee will review the results of the time study and make recommendations regarding the use of a separate case weight for time-intensive civil cases. If approved by the Circuit Court Budget

Committee (CCBC), the new weight(s) will be used in calculating the clerical weighted workload and thus the number of staff needed for the FY2005 budget year, which begins July 1, 2004.

Additional information about the Clerical Weighted Work Load study and the Final Report to the CCBC can be found on Missouri Courts Information Center (MCIC), Administration and Budget, Clerical Weighted Workload.



Funding for Interpreters for Adult Abuse Filings & Proceedings

The Office of State Courts Administrator received a **STOP Violence Against Women Act** grant to fund the use of foreign language interpreters during adult abuse filings and proceedings between January 1, 2003, and November 30, 2003. Courts received notice of funding in January 2003, and the service is being promoted to the public via brochures and public service announcements.

Additional information is found on the Missouri Court Information Center database under Juvenile & Adult Court Programs, Access to Justice, Foreign Language: Orders of Protection.

For additional information, please contact the Phyllis Launius at 573-526-8870 or by e-mail at Phyllis_Launius@osca.state.mo.us.

Missouri Association of Drug Court Professionals Annual Conference

The 5th Annual Missouri Association of Drug Court Professionals Conference—*Missouri Drug Courts: 10 Years of Changing Lives*—is scheduled for April 23-25 at the Capitol Plaza Hotel in Jefferson City, Missouri. Registration begins the evening of April 22.

The program will include tracks on adult drug courts, juvenile drug courts, family drug courts, treatment issues, mental health issues, and miscellaneous issues.

The registration brochure will be mailed in January and also will be available on the OSCA web site. If you have questions, please contact Ann Wilson at 573-526-8848 or by e-mail at Ann_Wilson@osca.state.mo.us

Program Awards Assist Families Involved in Domestic Relations Cases

New programs are available in the state to provide services in domestic relations cases thanks to funding from the Domestic Relations Resolution Fund. Awards are available January 1, 2003, and extend through December 2004.

The scope of programs and services funded include:

- Assistance in courthouses for persons filing for an order of protection
- Child protection order assessments, education, and counseling
- Mediation in domestic cases
- Supervised visitation and monitored exchange
- Parental competency evaluations in dissolution cases
- Court information officers
- Child waiting rooms
- Protection order informational brochures
- Custody evaluations
- Home studies
- Batterer intervention programs.

Circuits receiving funding are the 1st, 4th, 13th, 14th, 16th, 21st, 31st, 33rd, 37th, 40th, and 45th. For additional information about the Domestic Relations Resolution Fund, contact Donna Devine at 573-522-6775 or by e-mail at Donna_Devine@osca.state.mo.us.

Test Your Foreign Language Court Interpreter IQ

Missouri's Hispanic population grew 92% between 1990 and 2000. Our foreign-born population represents Asian, European, African, North American and Oceanic (like Fiji and New Guinea) countries. The Department of Elementary and Secondary Education's English as a Second Language program reveals there are 91 languages spoken in Missouri homes (led by Spanish, Bosnian, Vietnamese, Somali, and Arabic). These numbers show the significance of access to qualified court interpreters. Test your knowledge of the court interpreter program by answering these questions. (Answers are listed on the next page.)

- 1) How do courts recognize certified interpreters?
 - a) Ask them.
 - b) Refer to list on MCIC, Juvenile & Adult Court Programs, Access to Justice, Foreign Language: Scheduling & Paying Interpreters.
 - c) They wear a special ID provided by OSCA.
- 2) How many languages are being certified?
 - a) Spanish.
 - b) Spanish & Russian.
 - c) Spanish & Vietnamese.
- 3) What type of interpreting is done for a non-English speaking defendant?
 - a) Summary: Interpreter summarizes the speaker's statements.
 - b) Simultaneous: Interpreter speaks at the same time as the speaker.
 - c) Consecutive: Interpreter listens and speaks in a sequential manner.
- 4) What are the requirements for certification?
 - a) Be bilingual.
 - b) Attend orientation, pass a written examination (English proficiency & translation) with 70% or better, pass an oral examination with 70% or better.
 - c) Receive 24 hours of continuing education every two years.
- 5) When should an interpreter be appointed?
 - a) If there's not a friend or family member to interpret for the party.
 - b) If there's no one employed by the court or the county to interpret.
 - c) As soon as court concludes a party cannot speak English well enough to participate in the proceedings.
- 6) What is the "fatigue factor?"
 - a) What interpreters experience if they haven't received enough rest prior to the proceeding.
 - b) After interpreting for about two hours, the interpreter loses the ability to give an accurate and complete interpretation without a 15-minute break to refresh.
 - c) What the court reporter experiences if they have to strain to hear the interpreter.
- 7) Which of the following actions violates any of the ten canons of the interpreter's code of professional responsibility while they are serving as a translator or interpreter?
 - a) Giving an explanation or engaging in a conversation with the non-English speaker.
 - b) Summarizing or paraphrasing.
 - c) Discussing a matter in which they've been engaged if that information is not privileged.
 - d) All of the above.
 - e) a) and b).
- 8) It is acceptable for the court interpreter to use hand signals to regulate a lengthy statement or a statement being spoken too fast.
 - a) True.
 - b) False.
- 9) When are services for foreign language interpreters paid for by OSCA?
 - a) Criminal proceedings.
 - b) Adult abuse filings & proceedings occurring between 1/1/03 and 11/30/03.
 - c) All proceedings.
 - d) a) & b).
- 10) What must be submitted to OSCA for interpreter payment?
 - a) OSCA GN65 (completed & signed by the judge) with the original invoice.
 - b) Copy of the docket showing entry that interpreter was used.
 - c) a) & b).



Mark your calendars for March 12-14, 2003! Those of you who attended the Court Clerk College “Kaleidoscope” session will remember Professor Sylvia Lazos (University of Missouri School of Law) mentioning the 2002 conference.

This year’s conference will focus on Latino immigration to Missouri, showing the latest research and looking for action plans on demographics, culture and language, social services, health care, education, community development, and legal issues. Watch www.decolores.missouri.edu/ for details.

Parent Handbook, *In Your Child’s Best Interest*, Now Updated

The handbook, *In Your Child’s Best Interest* is now updated to reflect recent changes in assumptions when calculating child support. An additional new section is included on issues involving paternity.

The handbook is required by Section 452.556, RSMo to be distributed to parties in dissolution or legal separation, motions to modify, and family access motions. A large supply of handbooks will be sent to all circuit clerks. Any former handbooks with a September 1999 publication date should be destroyed upon receipt of the updated handbooks. Questions regarding the handbooks can be directed to Donna Devine at 573-522-6775 or Donna.Devine@osca.state.mo.us.

Juvenile Classification System

Forty-three juvenile offices have received training on the Juvenile Offender Classification System. The first biannual classification training session will be held in February, and the 4th Annual Classification System Report will be released later this spring. Minor revisions to the risk and needs assessments are under consideration for release this summer. If you would like additional information on the Juvenile Offender Classification System, please contact Rick McElfresh at 573-522-8257 or by e-mail at Rick.McElfresh@osca.state.mo.us.

Foreign Language Court Interpreter Certification Events

A number of events are scheduled for the court interpreter certification program. Please share this information with non-certified Spanish language interpreters working in your court and ask them to contact the Access to Justice Program at 573-751-4377 for additional information.

Orientation (2 day introductory workshop required for certification) — **March 22 & 23, 2003**

Skillsbuilding (2 day, optional, advanced workshop) — **April 4 & 5, 2003**

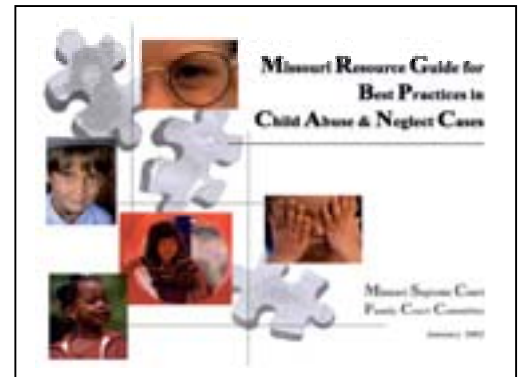
Testing (both written and oral exams to be administered) — **May 17 and 18, 2003**

Answers: (1) **B.** This list is updated regularly. (2) **A.** Currently only certifying Spanish, but hope to expand to other languages. (3) **B.** The judge should correct the interpreter if they notice the interpreter appears to be summarizing or conversing. (4) **B.** It takes much more than being bilingual and there are no continuing education requirements at this time. (5) **C.** Only qualified interpreters should be used. A & B could present a conflict of interest in addition to not being qualified to interpret. Remember, it’s more than being bilingual. (6) **B.** This is a documented limitation and the need for frequent recesses can be eliminated by scheduling a team of two interpreters for proceedings expected to last more than 2 hours. (7) **D.** Interpreters sign an oath to comply with the Code of Professional Responsibility. Violations should be reported to OSCA. (8) **True.** The interpreter should be allowed to use hand signals in a non-obtrusive way to control the speed and length of statements if they are having difficulty keeping up. (9) **D.** Unless other funding is received, OSCA will be able to fund adult abuse proceedings only through November 2003, then it returns to only having funds for criminal proceedings. (10) **A.** Only send OSCA the GN65 form that has been completed and has the original signature of the judge with the original invoice from the service provider. Do not send anything else.

Mark Your Calendars for the Upcoming *Best Practices Resource Guide* Workshops

What?

The Family Court Committee of the Supreme Court is in the process of finalizing and distributing the second installment of the *Missouri Resource Guide for Best Practices in Child Abuse and Neglect Cases* bench cards. This installment will include cards for the dispositional review (pre-permanency) hearing, permanency hearing, and post permanency review hearings, as well as informational cards on the Indian Child Welfare Act (ICWA), Interstate Compact on the Placement of Children (ICPC) and Multiethnic Placement Act (MEPA).



In addition, the Family Court Committee, in collaboration with the Juvenile Court Improvement Project, has planned regional, multi-disciplinary workshops designed to assist juvenile and family courts and other key stakeholders in utilization and implementation of the *Best Practices Recommendations* in the *Resource Guide*.

When and Where?

Seven sessions will be held at five sites throughout the state. Each session will begin at 12:30 p.m. on Day 1 and adjourn at Noon on Day 2, as follows:

<u>Location</u>	<u>Dates</u>	<u>Circuits</u>
Columbia	May 5-6	1, 2, 9, 10, 13, 14, 18, 19, 25, 26, 41
Kansas City	May 13-14 May 14-15	3, 4, 5, 6, 7, 8, 15, 16, 17, 27, 43
Cape Girardeau	May 28-29	24, 32, 33, 34, 35, 36, 42
Springfield	June 4-5	28, 29, 30, 31, 37, 38, 39, 40, 44
St. Louis	June 9-10 June 10-11	11, 12, 20, 21, 22, 23, 45

Who Should Attend?

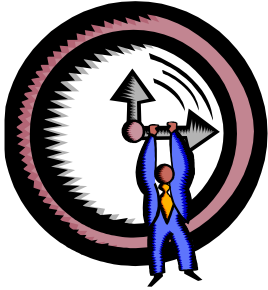
Juvenile and family court judges and commissioners who hear child abuse and neglect cases, juvenile officers, deputy juvenile officers, juvenile court attorneys, GALs and CASA volunteers assigned to child abuse and neglect cases, and DFS child welfare workers and supervisors.

Please mark your calendars and plan to attend, and share this information with your circuit's GALs and CASA volunteers so they also can mark their calendars. The Division of Family Services Central Office will coordinate participation of local DFS case managers and supervisors.

Additional Information

Further information on registration, travel and lodging, along with the finalized agenda, will be sent to all judges, juvenile officers, and DFS Central Office. For further information on the training or on the *Resource Guide*, please contact Norma Rahm at the Office of State Courts Administrator, at 573-751-4377 or nrahm@osca.state.mo.us

Education Technology



Have You Run Out Of Time? Are You in Overload? E-learning Classes A Big Aid With Stress/Time Management Issues

Too much to do and not enough time? It's not surprising. You are not alone in the struggle to be organized and productive. Whatever your job, interruptions and meetings can claim a major portion of your time each day. Couple these time demands with the ever-increasing amount of information that needs to be tracked and processed on a daily basis, and it is no surprise that you may feel overwhelmed and out-of-control.

The Soft Skill series, **“Overcoming Overload”**, offered via **JEWELS**, presents a number of ways in which you can manage your own behavior to overcome the limitations of time and memory and become more productive on the job. In these four courses, you will learn how to identify which job responsibilities are most important to you and how to keep focused on high-priority items from day-to-day. You will also learn ways to control time wasters. An overview of each course is given at the end of this article.

Asked to evaluate these courses by her Judge, 13th Circuit employee Nancy Krippner stated, “The ‘Coping with Stress,’ ‘Create Your Time and Memory Management Program,’ ‘Eliminate Time Wasters,’ ‘Organize to Remember,’ and ‘Workplace Diversity’ courses were equally good, and I really couldn't choose between them!”

Jim Cunningham, Deputy Juvenile Officer in Pettis County said, “I have probably completed 8-9 courses on the Soft Skill series. I found most of the courses to be of good quality with some benefit to both me personally and my job. At times, they can become a little drawn out to get through, but overall I have been impressed. Some of the courses such as ‘Sexual Harassment’ and ‘Writing Concisely’ ... were better than the others as far as my job... ‘The Sexual Harassment’ course was probably the most beneficial because it provides information every employee needs to know and understand.

WHEN can I take them?

You can take these courses via the Intranet while you are at work, providing you have permission from your supervisor or appointing authority. The courses allow you to stop at anytime and bookmark your location, so you can resume the course where you left off. You choose which courses you want to take and the order in which you want to take them!

HOW long do the courses take?

The courses take approximately 3 to 3.5 hours.

WHAT courses are available?

There are 22 Soft Skills courses available. This quarter we are featuring courses about time management and coping with stress.

(Continued on Page 14)

E-learning classes (Continued from Page 13)

WHERE can I find them?

The Soft Skill courses are offered via JEWELS (Judicial Ed Web Learning System).

- To access the Missouri Judiciary home page, click on the following link. <http://www.osca.state.mo.us/>
- Click on Office of State Courts Administrator.
- Click on Judicial Education.
- The Judicial Education home page will appear.
- Click on the JEWELS link to register for any of the e-learning courses.



Eliminate Time Wasters

This course is about time-wasters and ways to control them for the more important tasks. Learn to use time-proven techniques to identify tasks that can be delegated or eliminated and how to say "no" firmly and effectively. Regardless of your position and job environment, this course offers a number of practical hints that can be implemented immediately.

Organize to Remember

This course presents a number of different organizational systems that can be used to ease memory overload. Use retrieval systems to locate your reference and reading materials so you don't have to remember where you put them. Use reminder systems to remember names, commitments, and deadlines that you can't afford to forget. Systematically log your phone calls, conversations, and delegated tasks so you don't have to commit the details of these events to memory. Don't forget to use your computer to assist you in these tasks. The ideas presented in this course can be used in a number of different environments. Some are so easy to implement you will want to use them immediately. (Available for NASBA [National Association of State Boards of Accountancy] CPE credits.)

Managing Time

"Do not squander time, for that is the stuff life is made of," so said Benjamin Franklin. Therefore, making every moment count is the surest path to living the good life. In this course, the third in the series "Achieving Balance in Your Professional and Personal Life," you'll begin by recognizing many of the everyday activities, interruptions, and attitudes that waste your time and, in turn, eat away at the very thing you should value most. With your time savings account thus enriched, you will then learn to hone your time management skills and achieve much greater results for the same effort.

Coping with Stress

"You don't get ulcers from what you eat, but from what's eating you," said Albert Cliffe. There's no way to avoid having stress in one's life, but there are techniques for combating it. Are you your own worst enemy when it comes to stress? This course will help you discover ways to manage self-induced stress. You'll explore ways to anticipate for stressful situations in order to reduce their disruptions on your life and employ time-tested methods of turning these impediments around. By the time you're finished integrating these lessons, you'll have the tools to keep stress in check.

TRIAL JUDGE EDUCATION

Taking the Bench - New Judge Orientation

The 2003 New Judge Orientation will be conducted February 24 – 28, 2003, at the Judicial Department Education Center in Jefferson City. The Orientation is required for all new judges and commissioners that have taken the bench since the last time the program was offered. Over 34 new judges and commissioners are expected to attend this intensive five-day program. The focus of the program will be to cover core skills with time to discuss issues with peers and presenters. The Honorable Stephen N. Limbaugh, Jr., Chief Justice of the Supreme Court of Missouri, will begin the program by addressing participants on serving the judiciary and their communities. Joining the faculty of experienced judges this year is Dr. Theodore Curry, Director and Professor of the School of Labor and Industrial Relations at Michigan State University. Dr. Curry will discuss personnel issues that judges may encounter as appointing authorities. The Honorable Brenda Stith Loftin serves again as the planning chair for this innovative program.

Presiding Judges 2003 Spring Meeting

The Presiding Judges will meet March 13 & 14, 2003 at Tan-Tar-A Lodge in Osage Beach for their annual spring meeting. In addition to administrative updates, educational seminars on situational leadership and personal security will also be offered. Starting Thursday, Dr. Bohdan Yaworsky, Chair and Professor of the Criminal Justice Department at New Jersey City University, will explore situational leadership, which matches leadership styles to a follower's ability and comfort level. Judges will complete an in-class assessment to better understand their own leadership styles and preferences and then practice applying the situational leadership methods to case studies. The second day of the meeting will feature Mr. Anthony Gasaway, Chief Deputy U.S. Marshal with the Department of Justice U.S. Marshals Service, presenting on measures the judges can take to ensure their own protection on and off the bench. Each education seminar will begin promptly at 8:30 a.m.

National Council of Juvenile and Family Court Judges - Custody and Visitation Symposium, April 23-15, 2003

The Trial Judge Education Committee is excited to bring the National Council of Juvenile and Family Court Judges' Custody and Visitation Symposium to Missouri. Judges, mediators, and evaluators from across the country have attended this national program. Participants of the Symposium will explore the challenges and complex issues facing family court providers, as well as discuss the merits and application of current and established research and trends. This 2 ½ day program will be held at the Judicial Department Education Center in Jefferson City and will start at 10:00 a.m. on Wednesday, April 23rd and end at 3:00 p.m. on Friday April 25th.

For more information about these programs, contact Garnett Matthews-Campbell, Judge Education Coordinator, at (573) 522-8227, or via Lotus Notes.



Juvenile Education

“Crisis Management and the Media” Program to be held in March

Supreme Court Communications Counsel, Beth Riggert, will facilitate a two-day program “Crisis Management and the Media” for juvenile court supervisors on March 19 - 20, 2003. The interactive course will focus on the court’s symbiotic relationship with the media; developing relationships with the media before a crisis occurs; damage control when the media isn’t flattering to the court or gets something wrong; interviewing tips; and the resources that are available to court staff. For more information on this program, please contact Sheila Barnett, Education Programs Specialist, at 573-526-8305 or via Lotus Notes.



“Managing Behavior and Mental Illness in Juvenile Detention Settings” Program in April

The National Juvenile Detention Association (NJDA) will present a two-day program on managing behavior and managing mentally ill youth in detention to juvenile court staff on April 10 - 11, 2003. Participants will learn about behavior theory and the impact that behavior has on working effectively with youth in confinement facilities. Attendees will focus on strategies that proactively prevent negative behavior while promoting positive behavior.

The faculty will provide information on common mental disorders and the associated behavioral characteristics. Participants will learn the impact mentally ill youth have on their ability to provide quality care and programming to detainees. They will become more aware of the safety and security concerns associated with this special population, and the accommodations that are necessary when providing services. Throughout the workshop, participants will incorporate, discuss and analyze their detention center’s policies and procedures to ensure they are aware of how to apply them effectively. For more information on this program, please contact Vivian Murphy, Education Programs Coordinator, at 573-522-8225 or via Lotus Notes.

Juvenile Editorial Board is updating the Juvenile Officer Handbook

The Juvenile Editorial Board has been reactivated and is reviewing and updating the Juvenile Officer Handbook. The handbook is available on-line via a link from the Juvenile Education WebPage. The Editorial Board members are Shawn McCarver, Attorney at Law; Ray Grush, Chief Juvenile Officer/Juvenile Court Administrator for the 11th Circuit; Mike McClure, Chief Juvenile Officer, 8th Circuit; Allan Odle, Program Manager – McCune Residential Facility in the 16th Circuit; and Bill Lawson, Chief Juvenile Officer, 33rd Circuit. The revised handbook should be available on-line April 15, 2003. If you need information on accessing the on-line handbook you can contact Sheila Barnett, Education Programs Specialist, at 573-526-8305 or via Lotus Notes.

Upcoming Courses and Programs for Juvenile Officers and Detention Workers

February

19 - 21 Child Abuse and Neglect

March

5 - 7 Motivational Interviewing Skills

19 - 20 Crisis Management and The Media

24 - 27 Advanced Juvenile Justice Management

26 - 28 Officer Safety

31 - 05 14th National Conference on Child Abuse and Neglect - in St. Louis, MO

April

10 - 11 Managing Behavior and Mental Illness in Detention Settings

28 - 02 Fundamental Skills for Good Probation Practice

Clerk Education

Shake the Winter Blues By Putting a Little “Class” in Your Life!

Have the winter blues got you down? Gain a new perspective and knowledge on court issues by attending clerk education programs offered through Judicial Education. Course descriptions for these courses can be found either in the Missouri Courts Information Center database in Lotus Notes or in the Course Catalog for Judicial Education (contained in a pdf document at the bottom of the Judicial Education web page www.osca.state.mo.us> Office of State Courts Administrator> Judicial Education). Registration will be sent four to six weeks prior to each program.

Go on, shake those winter blues, put a little class in your life!

March 20	Legal Terms and Researching
March 20	4 Seconds to Successful Communication
March 28	Probate Case Processing
April 16-18	New Clerk Orientation
April 30-May 2	Court Clerk College
May 13	Accounting Practices (new course)
May 13	Court Security (new course)
May 23	Conservatorships and Guardianships (new course)
May 29	Records Management



Probate Clerks Unite!

All probate clerks will soon be invited to attend a new course designed specifically for them: *Conservatorships and Guardianships*. This comprehensive one-and-a-half day course will cover initiation, maintenance, auditing and closing of Conservatorship and Guardianship cases. It will also cover involuntary mental health and drug or alcohol related commitments. You won't want to miss this unique learning opportunity and a chance to unite with your fellow probate clerks from around the state.

Supervision and Management Programs Take on a New Look in FY04

Beginning in the fall of 2003, the Supervision Certificate Program and Management Certificate Program will no longer be offered as a package of prescribed courses. Rather, a series of courses will be offered throughout the year from which the supervisor and/or manager can choose. The courses will offer qualified participants* the opportunity to select from a variety of courses, custom fitting the certification to meet their needs. Past participants of either certification program may attend any of the courses for refresher or new content, providing the course is not filled with new applicants. Registration and course information will be tracked by the student, putting the onus of learning and completing the requirements in their own hands.

Requirements, course descriptions and registration for the courses will be made available through JEWELS after March 15, 2003.

*Participants must meet certain eligibility criteria in order to attend the courses, such as be in a position of supervision (e.g., Clerk III or higher, Deputy Juvenile Officer, etc.)

For more information, please contact Mary Brennell, 573-522-8228 or Mary_Brennell@osca.state.mo.us



Appellate Court Education

The Appellate Forum Planning Committee is pleased to announce that Professor Erwin Cherminsky and Dr. Brian Polansky will present at the Appellate Forum to be held April 7 – 8, 2003.

Professor Cherminsky is Professor of Public Interest Law, Legal Ethics and Political Science at the University of Southern California Law School. He is an expert in constitutional law, civil rights and liberties, the First Amendment, hate crimes and ethics in the legal profession. Dr. Cherminsky writes a regular column on the Supreme Court for *Trial* magazine, *California Lawyer*, and the *Daily Journal*.

Dr. Polansky is an educator in professional communication and a nationally recognized lecturer, consultant and author. Dr. Polansky has worked with numerous municipal, state and federal agencies to provide communication education, including the FBI National Academy, The United States Attorney's Office and The Department of Justice.

For information on municipal or appellate education programs, please contact Patricia Crockett, Education Program Specialist, 573-522-1392 or at Patricia.Crockett@osca.state.mo.us.

JIS 4.1 Focus Group Meetings

**Poplar Bluff and Jefferson City
November 14, 2002**

Recently, the Education Technology Unit within Judicial Education held its 2nd Focus Group Meeting with 20 participants representing 12 circuits and 16 counties. The objective of the Focus Group was to determine the effectiveness of the Phase I training effort. The information gained from this session will assist in the development of the current class materials and class structure for remaining Phase I courts, as well as the upcoming Phase II upgrade.

The latest Focus Group is part of a series of data collection activities Automation Training and Education Technology have sponsored to ensure the JIS educational training effort, support materials and approach meet user needs. The first of these activities began in August 2001 with a survey on Web Based Training (WBT) Modules. This data helped capture user attitudes on WBT courses. Two types of observations followed up the survey. The first was an informal observation of two clerks engaged in a web-based module. This observation gave input on navigation problems and the general flow of web-based structures. The second observation used a time-coded tool to capture critical data regarding time spent and user activities within a web-based module. Finally, in November 2001 our first Focus Group was conducted. The purpose of this Focus Group was to gather input on how to approach the Phase I upgrade. Data

collected consisted of documenting concerns for a web-based approach and a new format for training materials, i.e., notes classifications, step-by-step procedures and navigation structures.

The data collected from this most recent Focus Group will be added to our knowledge base of what we know "works" in regards to JIS training and will influence future training activities. A summary report of this last focus group can be found by visiting the Education Technology Group web site.

If you have comments, concerns or would like to participate in a future Focus Group, please contact Steven Loomis at 573-751-4377 or Steven.Loomis@osca.state.mo.us.



February

- 12** **Holiday - Lincoln Day**
- 17** **Holiday - Washington's Birthday (Observed)**
- 19** Juvenile Court Improvement Project Steering Committee Meeting
- 24-28** New Judge Orientation
- 28** Family Court Committee Meeting

March

- 07** Court Clerk Education Committee Meeting
- 07** Child Abuse/Neglect Standards Subcommittee Meeting
- 07** Circuit Court Budget Committee Meeting
- 07** Juvenile Information Governance Commission Meeting
- 13** Case Management Installation Planning Meeting
- 13-14** Presiding Judge Spring Meeting
- 14** Missouri Court Automation Committee Meeting
- 21** Alternative Dispute Resolution Commission Meeting
- 28** Court Reporter Education Committee (CREC) Meeting

April

- 02-04** Associate Judges and Missouri Professional Association of Court Clerks
- 07-08** 2003 Appellate Forum
- 11** Family Court Committee Meeting
- 11** Juvenile Information Governance Commission Meeting
- 18** State Judicial Records Committee Meeting
- 22-25** 5th Annual MADCP Conference
- 23-25** Custody and Visitation Program
- 25** Municipal Judge Education Committee (MJEC) Meeting
- 25** Child Abuse/Neglect Standards Subcommittee

May

- 02** Missouri Court Automation Committee Meeting
- 07** Juvenile Court Improvement Project Steering Committee Meeting
- 08** **Holiday - Truman Day**
- 16** Family Court Committee Meeting
- 16** Alternative Dispute Resolution Commission Meeting
- 26** **Holiday - Memorial Day**
- 28** Appellate Court Education Committee Meeting
- 29** Circuit Court Budget Committee Meeting

